

REMARKS:

Status Of Claims

Claims 1-23 were previously pending in the application. All of these claims have been canceled and replaced with new claims 24-34.

Office Action

The Examiner issued a first Office Action dated March 2, 2004 and made the action final because Applicant allegedly did not provide an amendment with the RCE application and because the claims were drawn to the same invention claimed in the earlier action and allegedly could have been finally rejected on the grounds and art of record. Applicant respectfully disagrees with both of these assertions. First, Applicant did submit an amendment with the RCE application as shown on the attached RCE Transmittal with Certificate of Mailing. A copy of this earlier filed Amendment is attached in case the Examiner did not receive it.

Second, while Applicant agrees that the claims which were previously pending in this application are the same as the claims pending in the earlier action, Applicant disagrees that the Examiner could have finally rejected these claims on the grounds and art of record in the next Office Action if they have been entered in the earlier application. The Examiner could not have properly rejected the claims because the Examiner never responded to the primary argument made in the Applicant's last two responses. Particularly, in the last Office Action, the Examiner again gave Official Notice that resizing windows is well known in the art of navigational devices. Applicant has repeatedly traversed this rejection and requested proof of the Official Notice that resizing of windows is well known in the art of navigational devices. Rather than providing such proof, the Examiner has simply repeated her arguments. Pursuant to MPEP Section 2144.03(c) "[i]f Applicant challenges a factual assertion as not properly officially noticed or not

properly based upon common knowledge, the Examiner must support the finding with adequate evidence." Such support must be in the form of "documentary evidence." 37 CFR 1.104 (c)(2). The Examiner cannot respond to such a request for evidence by merely repeating the same Official Notice as has been done in the present application.

In view of the foregoing, Applicant submits that the Examiner improperly made the last Office Action final. Applicant therefore respectfully requests that the Examiner withdraw the finality of the last Office Action as required by MPEP Section 706.07(d).

In the Office Action, the Examiner rejected the previously pending claims in view of U.S. Patent No. 5,883,817, U.S. Patent No. 6,163,503, U.S. Patent No. 6,381,538, U.S. Patent No. 5,956,032 and the Official Notice referred to above. Applicant again requests that the Examiner provide documentary evidence that resizing of windows is well known in the art of navigational devices. Moreover, Applicant respectfully submits that all of the new claims in the present application positively distinguish the present invention from all of these prior art reference even if the Examiner provides proof that resizing of windows is well known in the art of navigational devices.

Particularly, new independent claim 24 now recites a navigational and marine system comprising, among other limitations: a sonic transducer; a GPS antenna; a display screen; a computing device and a scrolling key which permit a user to selectively adjust a relative portion of the display used to display depth information from the sonic transducer and location information from the GPS antenna; and a single housing for housing the display screen, computing device and the scrolling key. None of the prior art references of record, alone or in combination, disclose all of these limitations. New claims 25 through 30 depend

directly or indirectly from claim 24 and are therefore also allowable over all of the prior art of record.

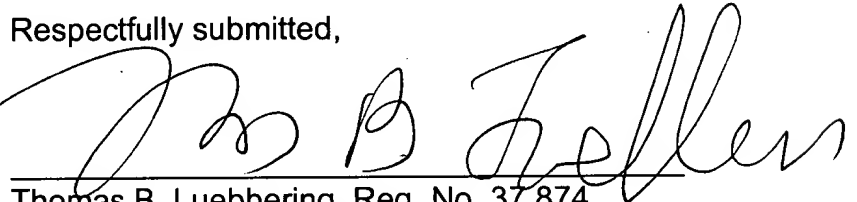
New independent claim 31 is similar to independent claim 24 except that it claims a sensor rather than a sonic transducer and does not include the housing limitation. Applicant submits that none of the prior art references of record, alone or in combination, disclose all of the limitations of this claim. New claims 32 through 34 depend directly from independent claim 31 and are therefore in allowable condition.

Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 19-0522.

In view of the foregoing, applicant respectfully submits that new claims 24-34 are in allowable condition and a Notice of Allowance is requested.

Respectfully submitted,

By:



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